



UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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OCT 20 2002

#12

In re Application of	:	
Wang et al	:	PETITION TO
Serial No.: 09/528,225	:	WITHDRAW HOLDING OF
Filed: March 21, 2000	:	ABANDONMENT
Attorney Docket No.: 109488.135 (ALX-21)	:	

This is in response to applicants' petition, filed September 20, 2002, requesting withdraw holding of abandonment.

On November 6, 2001, a Restriction was mailed. On May 29, 2002, applicant called TC 1600 receptionist at the U.S. Patent and Trademark Office (USPTO) to determine the status of the application as no action on the merits had been received by applicant in over 6 months. The receptionist stated that the application was abandoned for failure to respond to the action dated November 6, 2001. On June 10 and 11, 2002, July 18 and 19, 2002, applicant repeatedly called the TC1600 receptionist at the USPTO requesting the status of the application. On June 13, 2002, a Notice of Abandonment was mailed. On September 20, 2002, the present petition was filed. Applicant asserts that the response to the restriction was timely filed on November 20, 2001 by First Class mailing. A returned postcard receipt was filed concurrently with the response. However, the Returned Postcard was never received by the applicant. A copy of the Certificate of mailing dated November 20, 2001 and other documents were accompanied with the petition.

Applicant's statement and evidence have been carefully reviewed. The response filed November 20, 2001 is deemed timely. Accordingly, the petition is Granted.

Petition GRANTED.

The application is being returned to pending status and will be forwarded to examiner for consideration of the response after mailing of this letter.

Should there be any questions regarding this decision, please contact Cecilia Tsang by mail addressed to Director, Technology Center 1600, Washington, D.C. 20231, or by telephone at (703) 308-0254 or by facsimile transmission at (703) 305-7230.


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